

REMARKS

Claims 1-20 are currently pending in this application. As a result of the restriction requirement, claims 15-20 have been cancelled without prejudice. Dependent claims 21-24 have been added that are dependent of elected independent claim 8. No new matter has been added. As a result of the restriction requirement, claims 1-14 and 21-24 will be pending.

In The Specification

The Applicant previously claimed priority back to Application No. 60/421,641, which was filed on October 29, 2002 in the declaration. See Exhibit 1. The declaration was submitted within the time period set forth in 37 C.F.R. 1.78(a). The Patent Office acknowledged priority to Application No. 60/421,641 in its filing receipt. See Exhibit 2. The Applicant inadvertently did not include the claimed priority in the first sentence of the specification. The Applicant has added a Cross-Reference to Related Application section that includes the claimed priority to Application No. 60/421,641, as the first sentence of the specification. Pursuant to MPEP 201.11, since the declaration was timely filed and the information concerning the benefit claim was recognized by the Patent Office as shown by its inclusion on the first filing receipt, a petition under 37 CFR 1.78(a) and the surcharge under 37 CFR 1.17(t) are not required. Therefore, the Applicant respectfully requests that the Cross-Reference to Related Application to be added to the present application.

The Applicant has also amended the paragraph at page 7, beginning at line 9. In this amended paragraph, the Applicant has corrected the typographical errors. No new matter has been added.

Information Disclosure Statement (IDS)

The Applicant previously submitted two Information Disclosure Statements. The Examiner is respectfully requested to review the references and make them of record.

Restriction Requirement

The Applicant has selected Group I (drawn to claims 1-14 and 16-20). The remaining claim (claim 15) has been cancelled without prejudice as a result of the restriction requirement. The Applicant has selected species 1 (claims 8-14) and as a result have cancelled claims 16-20, which are directed to species II and III.

Conclusion

The Applicant submits that the claims are in a condition for allowance and action toward that end is earnestly solicited. It is believed that no fees are due; however, should any fees be required (except for payment of the issue fee), the Commissioner is authorized to deduct the fees from the Nixon Peabody Deposit Account No. 50-4181 (247082-000036USPT/MSE-2650).

Respectfully submitted,



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